

09972794.011202

Attorney's Docket No. 5405-232DV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Amalfitano et al.

Group: 1633

Serial No.: 09/972,794

Filed: October 5, 2001

For: DELETED ADENOVIRUS VECTORS AND METHODS OF MAKING  
AND ADMINISTERING THE SAME

Date: December 21, 2001

BOX MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
AND SUBMITTAL OF FORMAL DRAWINGS**

Sir:

In response to the Notice to File Missing Parts dated November 8, 2001, there is enclosed herewith one set (40 sheets) of new formal drawings. It is requested that these new drawings be substituted for the originally filed drawings.

Respectfully submitted,

Karen A. Magri  
Registration No. 41,965

**Customer Number:**



20792

PATENT TRADEMARK OFFICE

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on December 21, 2001.

Traci A. Brown

Date of Signature: December 21, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20590  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/972,794	10/05/2001	Andrea Amalfitano	5405-232DV

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

CONFIRMATION NO. 5221

## FORMALITIES LETTER



\*OC000000007045951\*

Date Mailed: 11/08/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

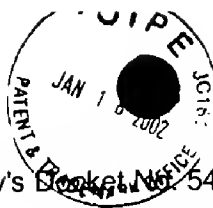
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*



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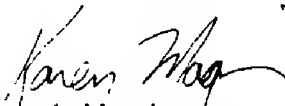
BOX MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231**SUBMITTAL OF DECLARATION  
UNDER 37 C.F.R. § 1.63**

Sir:

In response to the Notice to File Missing Parts dated October 29, 2001, enclosed is a copy of the Declaration and Power of Attorney from prior application number 09/384,749, filed August 27, 1999, issued as patent no. 6,328,958. The entire disclosure of this application, from which a copy of the Declaration is supplied under 37 C.F.R. 1.63(d), is considered as being a part of the disclosure of the above identified application and is hereby incorporated by reference therein.

Please charge our Deposit Account 50-0220 in the amount of \$130.00 to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit also may be charged to our Deposit Account No. 50-0220.

Respectfully submitted,

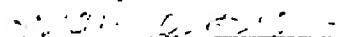
  
Karen A. Magri  
Registration No. 41,965**Customer Number:**

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Traci A. Brown  
Date of Signature: December 21, 2001